

**SNOHOMISH COUNTY
Charter Review Commission**

Minutes

**Wednesday May 17, 2006
Mill Creek City Hall
Mill Creek, Washington**

Commission Members Present: Mike Cooper, Kim Halvorson, Gail Rauch, Ryan Larsen, David Simpson, Mark Bond, Jim Kenny, Kristin Kelly, Rick Ortiz, Eric Earling, Wendy Valentine, Barbara Cothorn Hawksford, Diane Symms, and Rene Radcliff Sinclair.

Commission Members Excused: Christine Malone

Staff Present: Stephen Reinig, Allena Olson

Others in Attendance: Geri Modrell, Evelyn Spencer, Charles Ledford, Paul Daley, Dullain Ehrlich, Jeff Simpson, Marcia Eisenberg, and Sherri Daley.

Call to Order: Chair Cooper called the meeting to order at 7:00 p.m.

Approval of Agenda: Chair Cooper stated that he approved the agenda as presented, but that they would have the Chair's Comments out of turn as to allow Council Member Gossett to have a moments rest before presenting.

Chair's Comments: Chair Cooper stated that the video he and Eric Earling taped at Edmonds Community College is currently airing on channel 26 in Edmonds, and channel 21 in the other southern areas of Snohomish County. He also said that a dvd copy of the taping would be made available for those in the northern districts who wished to see it.

Chair Cooper stated that there are several opportunities for the Commission to get op-eds into all the local papers, and he thanked all the Commissioners who worked on this project. He also mentioned that one of the op-eds would be featured in the Snohomish County edition of the Seattle Times.

Chair Cooper spoke of the editorial board he and Commissioner Earling would be doing for the Everett Herald and invited any other Commissioners who wished to participate.

Commissioner Earling stated that the op-ed in the Everett Herald would run on Sunday.

Commissioner Kelly stated that the op-ed in her districts local papers would run next Wednesday.

Guest Speaker: Snohomish County Council Member Dave Gossett. Mr. Gossett presented the Commission with his opinions on many topics, including the size of the County Council, checks and balances, the Performance Auditor, long range planning, salary commission, moving corrections and courthouse security to the Sheriff, campaign finance and ethics, charter fiscal notes, and others. Please see the attached information for a more detailed description of Mr. Gossett's presentation.

DISCUSSION: Commissioner Kelly asked Mr. Gossett whether or not he felt there was a conflict of interest between being voted in and then being a judge for land use matters that are brought up in front of the Council by the public that voted him in. She also asked whether or not Mr. Gossett felt that those issues should instead go straight to the Superior Court.

Mr. Gossett replied that while this aspect of his position was definitely the least pleasant, and while it may appear to have the opportunity for a conflict of interest, the current Council has done an excellent job handling these cases. He also mentioned that the cost to the public of going straight to the Superior Court is much higher.

Commissioner Kelly asked whether or not it was the case that most of the conflicts brought before the Council ended up in Superior Court in the end.

Mr. Gossett replied that in fact very few of the cases the Council decided were taken to the Superior Court.

Commissioner Earling brought up the Mr. Gossett's opinion on biennial budgeting. He stated that other Council Members have complained about the seven-week period between receiving the budget from the Executive and making a decision on it. Commissioner Earling asked Mr. Gossett why then he didn't feel that a biennial budget would help with that scenario.

Mr. Gossett replied that there is no reason to believe there would be more than seven weeks to review the biennial budget when it came from the Executive. He stated that if the seven-week period may not be sufficient time to analyze an annual budget how would it be ample time to do the same with a biennial budget.

Commissioner Kenny asked Mr. Gossett his opinion on changing elected positions to appointed ones, and the topic of term limits.

Mr. Gossett stated that while he is not in favor of term limits he does not believe that the voters would get rid of them. He also felt that the voters would not be in favor of changing the department head positions from elected to appointed.

Commissioner Symms asked Mr. Gossett at what point budget reserves are too large.

Mr. Gossett replied that over eleven percent would be too large. He stated that during tough times eleven percent was sufficient.

Commissioner Symms asked Mr. Gossett if the entire eleven percent had ever been depleted.

Mr. Gossett replied it had not, but that seven to eight percent in the reserves is about as low as you would ever want to get.

Commissioner Symms asked if Mr. Gossett felt there were enough safe guards in place to protect against the critical area ordinance situation that occurred in King County.

Mr. Gossett replied that was not a charter issue.

Commissioner Ortiz stated that while Mr. Gossett had mentioned the financial consequences of increasing the County Council to seven members he did not mention representation concerns.

Mr. Gossett replied that he did not see how more members for the County Council would give better representation. He stated that the only benefit he saw was that it would mean fewer meetings that the other Council members would be obligated to attend.

Commissioner Valentine spoke on the Council Member's comments regarding night hearings of the Council. She stated she felt that if night meetings were a rule and on those nights the staff would not work during the day that the public would be better served as they would have a better possibility of being able to attend.

Mr. Gossett replied that having no one in the office on those days, to avoid the large additional cost of evening meetings, would be dangerous. He stated that night meetings are held periodically and there is no significant increase in the number of attendants.

Commissioner Valentine stated her opinions on the need for a more transparent government. She spoke of availability to access information at times outside of the 9-5 work day, and her wish of information on how Council members voted in real time. She asked Mr. Gossett how he proposed the public to access this information if it was not put on the web or made readily available.

Mr. Gossett replied that the best way to find out how a Council Member voted was to ask them. That the current government will provide the public with any information they wish, if they request it.

Commissioner Valentine gave an example of a situation in which she had difficulty accessing the information of how council members had voted and asked Mr. Gossett how he felt that problem could be solved.

Mr. Gossett replied that this issue was not necessarily a charter issue.

Commissioner Rauch asked Mr. Gossett to explain why he felt it was not a good idea to have the Performance Auditor under the County Council.

Mr. Gossett replied by giving an example of a situation that had occurred where a Council Member had the Performance Auditor perform two audits on a particular department simply because he had not liked that department. Mr. Gossett stated he felt it is important to keep the Performance Auditor under an administrative body.

Commissioner Earling asked Mr. Gossett which he would prefer; to have the Performance Auditor report to the County Council, or have an independently elected Performance Auditor.

Mr. Gossett replied that given the choice he would choose to have the Performance Auditor under the County Council. He stated that the position of the Performance Auditor must be of the utmost professional nature.

Commissioner Kelly asked Mr. Gossett why he was opposed to the sectional veto. She asked why he didn't feel that it could save several issued from going to appeal.

Mr. Gossett replied that it was just as possible that you would have an executive that would veto an ordinance specifically to send it to appeal. Mr. Gossett stated that he does not see the system in place being in need of change.

Chair Cooper asked Mr. Gossett if he thought it were true that if the overseeing of the corrections facilities were all moved to under the Sheriff that the cost of transferring people would be at a much higher cost to the County.

Mr. Gossett replied he thought there would be pressure to go to fully commissioned deputies.

Public Comment: Geri Modrell, from Everett, spoke of her desire to keep the government the size that it is. She stated that what a growing County will need is more money spent on things such as more police officers, and garbage collection. She said that what our County needs is not more managers, but better management.

Paul Daley stated his agreement with Mr. Gossett on the topic of the control of the correctional facilities. He said he felt that there is not sense in having an appointed Sheriff, that the voters wish to feel confident in their Sheriff and they achieve that by electing whom ever they feel most qualified. Mr. Daley also urged that the position of the Performance Auditor be as non political as possible. He also stated that he would like to see more areas be held accountable in fiscal and performance areas.

Jeff Simpson who is the president of the Sunny Shores beach association, spoke on the negative effect of inter-local agreement and MOU's have on their community. He stated the confusion of official jurisdiction over their land, and the unfair advantages had by the tribe.

Marcia Eisenberg, an employee of the Snohomish County Council, asked the Commission to look beyond the number to the proportion of those members of the County out there in the unincorporated areas. She stated that the percentage continues to get smaller and smaller, and people who are getting moved start moving their concerns and attention to the City Council, therefore the need for a larger County Council is non-existent.

Sherri Daley spoke on the topic of night hearings for the Council, and the availability to have her questions answered online in a timely manner. She gave an example of the problems she had getting answers from County employees, and asked that the current methods being used are improved upon as soon as possible.

Administrative Report: Chair Cooper spoke on the final survey the Commission will publish this year. The Commissioners were given a draft and asked to pass on any comments or additions to Steve.

Steve let the Commissioners know at the meeting on the 31st he would have briefing papers on the top four topics ready to go. Those topics being, the size of the Council, biennial budgeting, sectional or line item veto, and the salary commission.

Chair Cooper also mentioned that there was talk of brining the State Auditor in to talk with the Commissioners, but with the current time constraints that may have to be readdressed.

Adjournment: The meeting was adjourned at 8:15 p.m.